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Technologies PTY Ltd.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

In The Matter of an *ex parte* Petition  
for Judicial Assistance Pursuant to 28 U.S.C.  
§ 1782, by

CPC Patent Technologies PTY Ltd.,

Petitioner,

In support of legal proceedings in the Federal  
Republic of Germany

Case No. 4:21-mc-80091-JST  
[Assigned to the Hon. Jon S. Tigar,  
Courtroom 6, Oakland]

**DECLARATION OF ZACHARY  
T. TIMM IN SUPPORT OF  
OPPOSITION TO APPLE,  
INC.'S MOTION TO STAY  
PROCEEDINGS PENDING  
APPEAL**

Hearing Date: February 1, 2024  
Time: 2:00 p.m.  
Courtroom: 6

**DECLARATION OF ZACHARY T. TIMM**

I, Zachary T. Timm, declare as follows:

1. I am an attorney duly authorized to practice law before the courts of the State of California and this Court. I am an associate with the law firm of K&L Gates LLP (“K&L Gates” or the “Firm”), attorneys for Petitioner CPC Patent Technologies PTY Ltd. (“CPC”) in the above-captioned matter. I am familiar with the file in this matter, including all filings, correspondence, and evidence, all of which are maintained in the Firm’s records in the ordinary course of business. I have personal knowledge of the facts set forth herein and could, and would, testify competently thereto if called upon to do so.

2. On November 7, 2023, Apple served its objections and responses to CPC’s subpoena to produce documents. Attached hereto as **Exhibit A** is a true and correct copy of those objections.

3. On December 14, 2021, Apple filed its Appellee Answering Brief in the first Appeal in this Action. Attached hereto as **Exhibit B** is a true and correct copy of that brief, which is also available at Docket Entry 23-1 in Case No. 21-16212 before the Ninth Circuit Court of Appeals.

4. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 27<sup>th</sup> day of November, 2023, in Los Angeles, California

  
Zachary T. Timm